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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANAUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

RICHARD ST. PÉ COMPANY, INC.

CIVIL ACTION NO.: 10-1466

VERSUS

JUDGE DOHERTY

AT&amp;T LD, ET AL

MAGISTRATE JUDGE HANNA

**MEMORANDUM RULING**

Currently pending before this Court is a Motion for Partial Summary Judgment pursuant to Fed. R. Civ. P. 56 [Doc. 17], filed on behalf of BellSouth Long Distance, Inc. and BellSouth Telecommunications, Inc., d/b/a/ AT&T Louisiana (and, according to defendants, “incorrectly named in Plaintiff’s petition as ‘AT&T LD,’ ‘AT&T Telco,’ and ‘AT&T Louisiana’”). [Id. at 1]

Defendants seek dismissal of plaintiff’s claim against them for “mental anguish, emotional distress and inconvenience” on the basis that “[c]orporations are incapable of experiencing, and are not entitled to damages for, mental anguish, emotional distress and inconvenience under Louisiana law.” [Id.] Plaintiff has not opposed the motion.<sup>1</sup> Following a review of the motion for partial summary judgment, as well as the memorandum in support thereof, and further finding the motion appears to be well-founded in law and fact, and as the motion is unopposed by the plaintiff, the motion for partial summary judgment is hereby GRANTED. [Doc. 17]

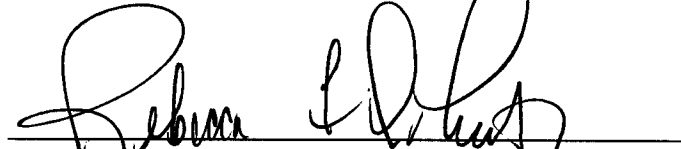
Accordingly, all claims asserted against defendants for “mental anguish, emotional distress

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<sup>1</sup>See e.g. Doc. 18 (“Any response to said motion is due within **TWENTY-ONE DAYS AFTER SERVICE OF THE MOTION** (see LR 7.5W). **OPPOSITION TO THE MOTION MUST BE FILED TIMELY OR THE MOTION WILL BE CONSIDERED UNOPPOSED.**”)

and inconvenience” are hereby DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 18 day of April, 2011.



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REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE